

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JEFFREY GEARHART,
Plaintiff,

v.

UNITED STATES DEPT. OF EDUC., ET AL.,
Defendants.

Case No. 19-cv-00750-YGR

**ORDER DENYING PLAINTIFF'S
ADMINISTRATIVE MOTION FOR STAY OF
DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT**


Re: Dkt. No. 55

Plaintiff Jeffrey Gearhart moves the Court for an order staying any further briefing or hearing on the Motion for Summary Judgment filed on April 7, 2020, by defendants United States Department of Education, *et al.*, until the Department acts upon plaintiff's Borrower Defense Application. (Dkt. No. 55.) The Court has considered the motion and opposition thereto and hereby **ORDERS** that the motion for stay is **DENIED** without prejudice. Plaintiff has not established the need for a stay of the Department's motion only, nor has he provided a sufficient explanation of how the pending Borrower Defense Application would moot the issues raised in his complaint herein.

This terminates Docket No. 55.

IT IS SO ORDERED.

Dated: May 13, 2020


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE